

### **REMARKS**

Claims 1-16 are pending in the present application. Claims 1-5, 9-13 and 16 have been amended. Reconsideration the claims is respectfully traversed.

### **35 USC §103, Obviousness**

Examiner rejected claims 1 and 9 under 35 U.S.C. § 103(a) as being unpatentable over Veenhoven (*Happiness in Nations*). This rejection is respectfully traversed.

In rejecting claims 1 and 9, the Examiner writes:

*A computer software program tangibly embodied in a computer readable medium, the program including machine-readable instructions executable by a computer processor for performing a method of comparing numerical survey scores based upon differing scoring response scales (Veenhoven, on at least page 62, Section 7.3, paragraph 1 describes a survey score conversion technique: "Though comparison is better possible ...we considered the possibilities for converting scores on different indicators to a common standard." Moreover, the section is entitled "CONVERTING AVERAGE SCORES ON NON-IDENTICAL ITEMS" where "Non-Identical" is equivalent to *disparate*. Emphasis added.) the computer program (and method) steps comprising:*

- *receiving at least one survey score on a first response scale (Veenhoven, on at least chapter 8 on page 66 is entitled "Use of This Data-Set" implies that the authors receiv[ed] data. Also, on page 54, Veenhoven describes databanks and archives from which data are received. Finally, on page 63 Veenhoven refers to two disparate response scales: "life-satisfaction that is either scored on a 0-10 scale or on a 1-10 scale.", hence a first response scale);*
- *receiving at least one survey score on a second response scale (See the rejection analysis of the previous limitation which also corresponds to a second response scale); and,*
- *creating a first converted score by converting each first survey score to a common response scale (Page 61: "...to transform these to a common scale..."); and creating a second score by converting each second survey score to a common scale. (Veenhoven, on page 61 states: "Linear transformation is more appropriate where the difference is only in the length of graphic rating-scales." Here, converting equates to 'transformation'. On page 63, "...if the difference between response scales is only the length. For instance in the case of the same question on life satisfaction that is either scored on a 0-10 scale or on a 1-10 scale. In such cases simple linear transformation will do." (emphasis added) where there is indicated at least two different responses and therefore two converted score that are transformed to a common scale.)*

Veenhoven does not specifically disclose that the methods above are carried out on a computer. However, Veenhoven does disclose database capability. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to modify the techniques described in Veenhoven because employing such means would increase the efficiency of the surveying and analysis process of the claimed invention.

It is Applicant's belief that Veenhoven fails to teach or suggest every element of the claimed invention, and thus fails to render Claims 1 and 9 obvious. Specifically, Veenhoven fails to teach conversion of disparately scaled scores to score percentage values in the manner of the present invention.

Veenhoven discusses use of simple linear transformation in equating scales of unequal length. The method provided in Veenhoven is a linear equation that causes the two scale's endpoints to coincide. However, it varies the spacing between the intervals of one of the scales such that none of the intervals (minus endpoints) coincide between scales. Thus, none of the intervals will exactly align unless one of the scales is an integer multiple of the other.

In contrast, the present invention utilizes a conversion process that results in several of the intervals coinciding according to their score percentage value, even when one of the scales is not an integer multiple of the other. For example, when converting score from 10-point scale and a 7-point scale, several intervals align according to their score percentage value (i.e., 1 to 1, 4 to 3, 7 to 5, and 10 to 7 – on the 10-point and 7-point scales, respectively). The remaining intervals are averaged such that the average of two adjacent intervals on the 10-point scale aligns with the 7-point scale interval (i.e.,  $2/3$  to 2,  $5/6$  to 4 and  $8/9$  to 6 – on the 10-point and 7-point scales, respectively). This correspondence between different scales is accomplished by the conversion of scale scores to their respective percentage values.

Claims 1 and 9 have been amended to clarify the fact that the two sets of scores are converted where appropriate. Thus, the scores from a 10-point scale are given a conversion percent score that directly coincides to an interval on the 7-point scale. If the technique of Veenhoven were followed, only the endpoints of the two scales would coincide.

Because claims 2-8 and 10-16 depend from claims 1 and 9, respectively, they are distinguished from Veenhoven for the reasons explained above. In addition, the dependent claims recite limitations not taught in Veenhoven or Garson. Because Veenhoven does not convert scores into percentage values in the manner of the present invention, many of the steps related to the processing of such percentage values as recited in the dependent claims are naturally not taught or suggested by Veenhoven, either alone or in combination with Garson.

For example, neither Veenhoven nor Garson teaches standardizing pooled score percentage values in the manner recited in claims 2 and 10.

Therefore, it is respectfully asserted that the rejection of claims 1-16 under 35 USC §103 has been overcome and should be withdrawn.

**Conclusion**

It is respectfully urged that the subject application is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

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